



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

AMENDMENT

MULTI-COUNTY:

Association of Bay Area Governments

ABAG Finance Authority for

Nonprofit Corporations

ABAG Comp Shared Risk Pool

A written comment period has been established commencing on **October 8, 2004** and closing on **November 22, 2004**. Written comments should be directed to the Fair Political Practices Commission, Attention Cynthia A. Jones, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **November 22, 2004**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Cynthia A. Jones, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Cynthia A. Jones, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3962, subsection (a), of the regulations in Title 3 of the California Code of Regulations pertaining to Hydrilla Eradication Area as an emergency action that was effective on August 5, 2004. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than December 4, 2004.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before November 22, 2004.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations, as he deems necessary, to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code Section 5322). Existing law obligates the Secretary to conduct an ongoing survey and detection program for hydrilla. Additionally, whenever and wherever hydrilla is discovered, the Secretary shall immediately investigate the feasibility of eradication. If eradication is feasible, the Secretary shall perform the eradication in cooperation with federal, city, county, and other state agencies taking those steps and actions the Secretary deems necessary (Food and Agricultural Code Section 6048).

The amendment of Section 3962(a) established that Nevada County is an eradication area for *Hydrilla verticillata* (hydrilla). The effect of the amendment is to establish the authority for the State to perform eradication activities against hydrilla in Nevada County. There is no existing, comparable federal regulation or statute regarding intrastate movement of regulated articles and commodities.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3962(a) does not impose a mandate on local agencies or school districts. The Department has also determined that the amended regulation will involve no additional costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable savings to local agencies or costs or savings to school districts under Section 17561 of the Government Code and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department amended Section 3962, subsection (a) pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3962, subsection (a) to implement, interpret and make specific Sections 5322, 5761, 6048 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov.

In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations amended by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of amendment. Any person interested may obtain a copy of said regulations prior to the date of amendment by contacting the agency officer (contact) named herein.

TITLE 4. HORSE RACING BOARD

DIVISION 4, CALIFORNIA CODE OF REGULATIONS

NOTICE OF PROPOSAL TO AMEND RULES 1843.5 MEDICATION, DRUGS AND OTHER SUBSTANCES PERMITTED AFTER ENTRY IN A RACE 1844 AUTHORIZED MEDICATION AND 1845 BLEEDER LIST

The California Horse Racing Board (Board) proposes to amend the regulations described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The proposed amendments to Rules 1843.5, Medication, Drugs and Other Substances Permitted After Entry in a Race, 1844, Authorized Medication and 1845, Bleeder List, would bring the Board's regulations in line with recommendations made by the Racing Medication and Testing Consortium (RMTC). The RMTC is a national organization composed of industry representatives, which is charged with developing uniform national medication rules, policies and testing procedures. The proposed amendment to Rule 1843.5 provides that veterinarians shall not have contact with an entered horse on race day except for the administration of furosemide or other bleeder medications. The proposed amendment to Rule 1844 changes the dosage amount that the test sample shall contain for flunixin from 0.5 micrograms to 20 nanograms, and for ketoprofen from 50 nanograms to 10 nanograms. The proposed amendment to Rule 1845 changes authorized bleeder medication procedures in accordance with RMTC recommendations.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m.**, Thursday, **December 2, 2004**, or as soon after that as business before the Board will permit, at the **Hollywood Park Race Course, Turf Club Sunset Room (4th floor), 1050 South Prairie Avenue, Inglewood, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m. on November 22,**

2004. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6397
Fax: (916) 263-6042
E-mail: HaroldA@chrb.ca.gov

AUTHORITY AND REFERENCE

Rule 1843.5: Authority cited: Sections 19440 and 19562, B&P Code. Reference: 19580, 19581 and 19582 B&P Code and Section 337f, g and h, Penal Code.

B&P Code Sections 19440 and 19562 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific Sections 19580, 19581 and 19582 B&P Code and Section 337f, g and h, Penal Code.

Rule 1844: Authority cited: Sections 19440, and 19562, B&P Code. Reference: Sections 19580 and 19581, B&P Code.

B&P Code Sections 19440, and 19562 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific Sections 19580 and 19581, B&P Code.

Rule 1845: Authority cited: Sections 19440 and 19562, B&P Code. Reference: 19580 and 19581, B&P Code.

B&P Code Sections 19440, and 19562 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific Sections 19580 and 19581, B&P Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board proposes to amend Rule 1843.5 by adding subsection (i), which provides that no veterinarian, other than the official and racing veterinarians, may have contact with an entered horse on raceday unless approved by the official veterinarian, or for the administration of furosemide or other bleeder medication. If unauthorized medications were going to be administered to a horse in an attempt to influence its race performance, they would likely be given as close to race time as possible. So, as a practice and as a matter of perception, the Board believes it is best that veterinarians not be in contact with horses entered to race except for administration of approved medications or in an emergency. All other changes to Rule 1843.5 are for purposes of clarification and grammar.

Rule 1844 provides a list of approved non-steroidal anti-inflammatory drug substances, one of which may be administered to a horse until 24 hours prior to racing. Currently, under subsection 1844(c)(2) the test sample shall contain not more than 0.5 micrograms of flunixin per milliliter of blood plasma or serum. The proposed amendment to Rule 1844 changes the level to 20 nanograms of flunixin. Under subsection 1844(c)(3) the test sample shall contain not more than 50 nanograms of ketoprofen per milliliter of blood plasma or serum. The proposed amendment to Rule 19844 changes the level to 10 nanograms. These changes were recommended by the RMTC after a review of research literature demonstrated these levels would prohibit any improper administration of flunixin or ketoprofen within 24 hours of racing. All other changes to Rule 1844 are for purposes of clarification and grammar.

Rule 1845 provides the conditions and procedures under which authorized bleeder medication may be administered to a horse. The proposed amendment to Rule 1845 changes the name of the regulation from "Bleeder List" to "Authorized Bleeder Medication." This clarifies the topic of the regulation. Subsection 1845(a) provides that a horse is eligible to race with authorized bleeder medication if the licensed trainer and/or veterinarian determine it is in the best interest of the horse. Most, if not all thoroughbred horses eventually show signs of exercise induced pulmonary hemorrhage (EIPH). However, horses may not bleed at a time when they can be observed. Allowing the trainer or veterinarian to determine if the horse should run on an authorized bleeder medication eliminates the need for the official veterinarian to observe the bleeding. Subsection 1845(a) incorporates by reference form CHRB 194 (New 09/04) Authorized Bleeder Medication Notice/Request (CHRB 194). A similar form is currently used at racetracks. Incorporation of CHRB 194 provides a standardized form and procedures by which the official veterinarian will be notified that a horse will run on authorized bleeder medication. In addition, CHRB 194 will be used to request the horse be taken off the authorized bleeder medication list. Subsection 1845(b) states the official laboratory shall measure the specific gravity of post-race urine samples to ensure they are sufficiently concentrated for proper chemical analysis. Such samples shall not have specific gravity below 1.010. The specific gravity measures the dilution of the urine sample. A measurement of below 1.010 would indicate that authorized bleeder medication might have been improperly administered. Subsection 1845(c) provides that if the post race urine sample is determined to be below 1.010, or if a urine sample is not available for testing, quantitation in serum or plasma shall be performed. Quantitation in serum or plasma will

indicate if the authorized bleeder medication was administered too close to race time or in an excessive amount in violation of the Board's rules. The new language in subsection 1845(d) was previously in the old subsection 1845(g). The new language in subsection 1845(e) was previously in the old subsection 1845(f). However, in recognition that the size and weight of horses varies, dosage of the authorized bleeder medication furosemide has been changed from a maximum dose of 250 mg. to a range of not less than 150 mg. or not more than 500 mg. Most dosages are calculated by milligram per kilogram of body weight. A horse racing with the approved bleeder medication furosemide must show a detectable concentration of the drug in the post race serum, plasma or urine sample. The Board requires that racing fans be notified in the official program if a horse is running on an approved bleeder medication. In addition, the official veterinarian is also notified. If such a report is made, the drug must be present in the test samples. While the veterinarian is still required to report administration of authorized bleeder medication two hours prior to post time, they must use CHRB-36 Bleeder Treatment Report, which is incorporated by reference. This form is currently in use at racetracks. Subsection 1845(f) provides that a horse must remain on the authorized bleeder medication list until the trainer or veterinarian requests it be removed. The request must be made prior to time of entry using form CHRB 194. Once removed, the horse may not be placed back on the list for a period of 60 calendar days. If the horse is removed a second time in a 365-day period it may not be placed back on the list for 90 calendar days. These periods of time were recommended by the RMTC in its uniform national rules policy and are designed to prevent horses from being moved on and off authorized bleeder medication. Subsection 1845(g) states if the official veterinarian observes a horse bleeding externally from one or both nostrils, and determines such bleeding is a result of EIPH, the horse shall be ineligible to race for a specific number of days—based on the number of observed incidents within a 365-day period. The dates are RMTC recommendations and current practice at California racetracks. Subsection 1845(h) is deleted because it is no longer necessary.

DISCLOSURE REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed amendment to Rules 1843.5, 1844 and 1845 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed amendment to Rules 1843.5, 1844 and 1845.

Significant effect on housing costs: none.

The adoption of the proposed amendment to Rules 1843.5, 1844 and 1845 will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: none. The proposal to amend Rules 1843.5, 1844 and 1845 does not affect small businesses because horse racing associations in California are not classified as small businesses under Government Code Section 11342.610. Rule 1843.5 lists medication, drugs and other substances permitted after entry in a race. Rule 1844 lists authorized medications and specifies level of such medications that may be present in test samples. Rule 1845 provides that approved prophylactic medication for the control of exercised induced pulmonary hemorrhage may be administered to a horse, and states the conditions and procedures under which such medication may be administered.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered, or that was otherwise identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome on affected private persons than the proposed action.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the

modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6397
E-mail: HaroldA@chrb.ca.gov

If the person named above is not available, interested parties may contact:

Pat Noble, Regulation Analyst
Telephone: (916) 263-6033

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed texts of the regulations, and the initial statement or reasons. Copies may be obtained by contacting Harold Coburn, or the alternate contact persons at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed texts, the modified texts—with changes clearly marked—shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulations should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be available after the Board has adopted the proposed regulations in their current or modified form, should be sent to the attention of Harold Coburn at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of

the notice, the proposed texts of the regulations and the initial statement of reasons. The Board's web site address is: www.chrb.ca.gov.

TITLE 5. STATE TEACHERS' RETIREMENT SYSTEM

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE OF THE CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM (CalSTRS)

NOTICE IS HEREBY GIVEN that the California State Teachers' Retirement System (CalSTRS), pursuant to authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict of Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

CalSTRS proposes to amend its Conflict of Interest Codes to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. CalSTRS' proposed amendments to the code will add as well as delete certain employees who either must make certain financial disclosures by filing statements of economic interests with the CalSTRS or will be relieved from having to file such statements. The amendments also will revise disclosure categories to be consistent among specific positions at CalSTRS that have been identified to be subject to financial disclosure.

This amendment makes other technical changes to reflect the current organizational structure of CalSTRS. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may present written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than November 22, 2004 (the last day of the 45 day comment period), or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If an interested person or the person's representative requests a public hearing, he or she must do so no later than November 7, 2004 (15 days before the close of the written comment period), by contacting the Contact Person set forth below.

CalSTRS has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the

written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

CalSTRS has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, CalSTRS must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective as and less burdensome to affected persons than the proposed amendments.

CONTACT PERSON

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

James Musante, CalSTRS Filing Officer
C/O CalSTRS Legal Office, Mail Station #3
State Teachers' Retirement System
P.O. Box 15275
Sacramento, CA 95851-0275
Telephone Number: (916) 229-3927
E-mail Address: jmusante@calstrs.com

TITLE 10. DEPARTMENT OF INSURANCE

NOTICE OF FURTHER PUBLIC HEARING

File No. RH 04039178

Notice Date: September 24, 2004

Proposed Revisions to the Insurance Commissioner's Regulations pertaining to the Classification of Risks; Recording and Reporting of Data; Statistical Reporting and Experience Rating; and Approval of Advisory Pure Premium Rates to be effective January 1, 2005

SUBJECT OF HEARING

The Insurance Commissioner held a public hearing on the above referenced matter on September 15, 2004 pursuant to a Notice of Proposed Action and Public

Hearing that was dated July 29, 2004. The information in that Notice is incorporated herein by reference. The hearings are conducted to consider (1) the approval of advisory pure premium rates developed by the designated rating organization; (2) amendments to the California Workers' Compensation Uniform Statistical Reporting Plan—1995; (3) amendments to the Miscellaneous Regulations for the Recording and Reporting of Data; and (4) amendments to the California Workers' Compensation Experience Rating Plan—1995. The hearings are held in response to a filing, submitted on July 28, 2004, by the Workers' Compensation Insurance Rating Bureau of California ("WCIRB").

The September 15 hearing was not adjourned; instead, it was continued. This is a Notice of the date of the continued hearing.

HEARING DATE AND LOCATION

A further public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the matters proposed in the WCIRB's filing, at the following date, time and place:

October 27, 2004—9:00 AM
22nd Floor Hearing Room
45 Fremont Street
San Francisco, California

PRESENTATION OF ORAL AND/OR WRITTEN COMMENTS

All persons are invited to submit written comments to the Insurance Commissioner prior to the public hearing on the proposed amendments contained in the WCIRB's filing. Such comments should be addressed to:

California Department of Insurance
Attention: Larry C. White, Senior Staff Counsel
45 Fremont Street, 24th Floor
San Francisco, California 94105
(415) 538-4423

Any interested person may present oral and/or written testimony at the scheduled public hearing. Written comments and oral testimony will be given equal weight in the Insurance Commissioner's deliberations.

DEADLINE FOR WRITTEN COMMENTS

All written material, unless submitted at the hearing, must be received by the Insurance Commissioner at the address listed above no later than 5:00 PM on October 27.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE OF WRITTEN COMMENT PERIOD ON PROPOSED ACTION TO MAKE EMERGENCY REGULATIONS PERMANENT

The Department of Motor Vehicles (the department) has adopted, on an emergency basis, Section 15.07, Reduced Fee Identification Card, in Chapter 1, Division 1, Article 2, Title 13, of the California Code of Regulations. The regulations provide for the issuance of a reduced fee identification card and identify the form required to obtain the reduced fee identification card.

SUBMISSION OF WRITTEN COMMENTS

The department invites all interested persons or their representatives to submit written comments on the proposal to adopt the above described emergency regulations on a permanent basis. Comments should be addressed or delivered to the contact person identified below.

DEADLINE FOR WRITTEN COMMENTS

Any interested person or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 P.M. on November 22, 2004, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 P.M., fifteen (15) days prior to the close of the written comment period.

CONTACT PERSON

Inquiries relevant to the proposed action and questions on the substance of the proposed regulations should be directed to the department representative, Maria Grijalva, Department of Motor Vehicles, P.O. Box 932382, Mail Station E-244, Sacramento, California 94232-3820; telephone number (916) 657-9001; or mgrijalva@dmv.ca.gov. In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, (916) 657-5690, or dbaity@dmv.ca.gov. The fax number for the Regulations Branch is (916) 657-1204.

AUTHORITY AND REFERENCE

The department proposes to adopt Section 15.07 under the authority granted by Vehicle Code Sections 1651 and 14902 in order to implement, interpret or make specific Vehicle Code Section 14902.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code Section 14902 provides for a \$6 fee for an identification card issued to a person with an income level qualifying for special assistance programs. Section 14902 provides that determination of eligibility for a reduced fee identification card shall be made by a representative of a governmental or non-profit entity, which shall be subject to regulations adopted by the department. The proposed regulations govern the issuance of an identification card at a reduced fee to person at a specified income level.

The department proposes to adopt Section 15.07 to identify the form required to be submitted in conjunction with an application for an identification card in order to verify that the applicant qualifies for a reduced fee identification card.

DOCUMENTS INCORPORATED BY REFERENCE

The Verification of Reduced Fee Identification Card, form DL 937 (NEW 8/2004) is incorporated by reference in the proposed regulation, and is not proposed to be published in Title 13, California Code of Regulations.

FISCAL IMPACT STATEMENT

Cost or Savings to Any State Agency: None.

Other Non-Discretionary Cost or Savings to Local Agencies: Local governmental agencies and non-profit agencies selecting to provide eligibility information to their clients under the proposed regulations will have minimal, but varying costs involved due to the variety of organizations potentially involved. The proposed regulations are voluntary. Governmental, and non-profit entities, are not mandated by statute to provide determination of income eligibility to their clients wishing to apply for a reduced fee California identification card.

Costs or Savings in Federal Funding to the State: None.

Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative business would necessarily incur in reasonable compliance with the proposed action. There is currently a cost involved in obtaining a license.

Effect on Housing Costs: None.

DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The regulatory action proposed by the department will provide for the issuance of a reduced fee California identification card for applicants who submit proof of a qualifying income status on a department form.
- The adoption of this regulation will not create or eliminate jobs or businesses in the state of California, nor will it result in the elimination of existing businesses, or reduce or expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. Local government agencies and non-profit agencies may select to provide eligibility certification on a department required form.
- The proposed regulatory action will not affect small businesses. The regulatory action will establish a department form required to be submitted in conjunction with an application for a California identification card in order to pay a reduced fee for the identification card.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an initial statement of reasons for the proposed action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public upon request the final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of

the public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (Initial Statement of Reasons and Express Terms) may be accessed at www.dmv.ca.gov, Other Services, Legal Affairs Division, Regulatory Notices web page.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing, if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 14. FISH AND GAME COMMISSION

NOTICE OF PROPOSED CHANGES IN REGULATIONS

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 1050 and 8587.1, of the Fish and Game Code and to implement, interpret or make specific sections 1050, 7850, 8587, and 8587.1, of said Code, proposes to amend Section 150, Title 14, California Code of Regulations, relating to the use of dip nets in the Commercial Nearshore Fishery.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Fish and Game Code, under general license provisions, authorizes the Department to prepare and issue licenses and permits and authorizes the Commission to determine the terms and conditions of permits. In 1998, the Legislature adopted the Nearshore Fisheries Management Act which provides authority to the Commission for the nearshore fishery. Included in this legislation is the authority to adopt a fishery management plan for nearshore fish stocks and regulations as determined necessary to regulate nearshore fish stocks and fisheries. The regulatory authority includes, but is not limited to, the establishment of limitations on the fishery based on type of gear and further specifies that any regulation adopted pursuant to this section shall be adopted following consultation with fishery participants.

The Commission adopted a Nearshore Fishery Management Plan in 2002 and established limitations on gear use in the nearshore fishery. The Commission also adopted a restricted access program that specifies the gears that can be used in the nearshore fishery. Hook-and-line gear or other gears authorized under a Nearshore Fishery Permit gear endorsement are allowed to be used. Currently, trap gear is the only gear endorsement.

A fishery participant requested that the Commission provide for the use of dip nets in the nearshore fishery. The proposed regulation would establish dip net as an authorized gear for all Nearshore Fishery Permit holders. The proposed regulations would not change the current authorization to use hook-and-line gear nor would it change the trap gear endorsement program.

Existing regulations establish a restricted access program for the commercial nearshore fishery and authorize the types of fishing gear that may be used in the fishery. Currently, only two gears may be used in this fishery: hook-and-line gear may be used by any nearshore fishery permittee, and trap gear may be used by those permittees who possess a trap endorsement. The proposed regulations would establish dip nets as an authorized gear for all Nearshore Fishery Permit holders. The proposed regulations would not change the current authorization to use hook-and-line gear, nor would they change the current trap gear endorsement program.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in The Beach Resort, Bay View Room, 2600 Sand Dunes Drive, Monterey, California, on Friday, December 3, 2004 at 8:30 a.m. or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before November 24, 2004 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than December 3, 2004 at the hearing in Monterey. E-mail comments must include the true name and mailing address of the commentor.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Robert R. Treanor, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Robert R. Treanor or Sherrie Koell at the preceding address or phone number. **Marija Vojkovich**,

Offshore Ecosystem Coordinator, Department of Fish and Game, Marine Region, (805) 568-1246 has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the above address. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

IMPACT OF REGULATORY ACTION

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States: The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed action will allow current Nearshore Fishery Permit holders to use gear that has historically been used in the nearshore fishery but not authorized under current regulations. The proposed action will not allow new permittees into the fishery and will not remove any current permittees from the fishery.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/ Savings in Federal Funding to the State: None.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

OFFICE OF SPILL PREVENTION AND RESPONSE

NOTICE OF PROPOSED RULEMAKING

Notice is hereby given that the Office of Spill Prevention and Response (OSPR) within the Department of Fish and Game, proposes to amend Sections 800 through 802 in Subdivision 4, Chapter 3, Subchapter 1 of Title 14 of the California Code of Regulations (CCR). These sections pertain to Harbor Safety Committees and Harbor Safety Plans.

PUBLIC HEARING

Public hearings have been scheduled at which any interested party may present statements, orally or in writing, about this proposed regulatory action. The hearings will continue until all testimony is completed, **and will be held at 10 a.m. as follows:**

November 22, 2004

OSPR Fairfield Office
925 G Executive Court North
Fairfield, California

November 30, 2004

Port of Long Beach
Administration Building
Sixth Floor Board Room
925 Harbor Plaza
Long Beach, California

SUBMISSION OF WRITTEN COMMENTS

Any interested person, or his or her authorized representative, may submit written comments relevant

to the proposed regulatory action to OSPR. All written comments must be received by OSPR at this office no later than 5:00 p.m. on November 30, 2004, in order to be considered. Written comments may be submitted by mail, fax, or e-mail, as follows:

Department of Fish and Game
Office of Spill Prevention and Response
P.O. Box 944209
Sacramento, California 94244-2090
Attention: Joy D. Lavin-Jones
Fax: (916) 324-5662
E-mail: jlavinj@ospr.dfg.ca.gov

PERMANENT ADOPTION OF REGULATIONS

OSPR may thereafter adopt the proposal substantially as described in this Notice, or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposals—with changes clearly indicated—will be available for 15 days prior to its adoption from the person designated in this Notice as contact person. The text will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Government Code Section 8670.23.1 grants the Administrator the authority to adopt regulations and guidelines for harbor safety committees and plans in consultation with those committees and other affected parties. These regulations implement, interpret and make specific Government Code Sections 8670.23 and 8670.23.1.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Act), enacted in 1990 by Senate Bill 2040, created a comprehensive state oil spill program for marine waters. Among its many provisions, the Act authorized the Administrator to create harbor safety committees for the following five harbors: San Diego; Los Angeles/Long Beach; Port Huenum; San Francisco, San Pablo and Suisun Bays; and Humboldt Bay. Each committee is required to develop harbor safety plans for the safe navigation and operation of tankers, barges and other vessels within the harbors.

The proposed regulatory amendments implement the provisions of SB 1742, which outline generic harbor safety committee positions throughout the state and allow for harbor-specific positions to be identified in regulation. These harbor-specific positions were developed in consultation with the applicable harbor safety committees already established. Nonsubstantive

authority and reference citation corrections have also been made throughout the subchapter.

SMALL BUSINESS IMPACT STATEMENT

OSPR has determined that the proposed regulations may affect small businesses.

COMPLIANCE WITH GOVERNMENT CODE SECTIONS 8574.10 AND 8670.55

In accordance with Government Code Section 8574.10, these regulations have been submitted to the Review Subcommittee of the State Interagency Oil Spill Committee for review and comment; and in accordance with Government Code Section 8670.55, these regulations have been submitted to the Oil Spill Technical Advisory Committee for review and comment.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: NONE.

Costs or savings to any state agency: NONE.

Costs or savings to local agencies or school districts which must be reimbursed in accordance with Part 7 (commencing with Section 17500) of Division 4 of the Government Code: NONE.

Other non-discretionary costs or savings imposed upon local agencies: NONE.

Costs or savings in federal funding to the state: NONE.

Cost impacts on representative private persons or businesses:

These amendments codify current practices and will not result in significant additional costs to private persons or directly affected businesses. OSPR is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: NONE.

BUSINESS IMPACTS

The OSPR has made an initial determination that the proposed amendments will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

ASSESSMENT OF JOB/BUSINESS CREATION OR ELIMINATION

The OSPR has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs in the State of California, and will not result in the elimination of existing businesses nor create or expand businesses in the State of California.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), OSPR must determine that no reasonable alternative that has been considered or that has otherwise been identified and brought to the attention of OSPR would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF DOCUMENTS AND OSPR CONTACT PERSON

OSPR has prepared a Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. Copies of the exact language of the proposed regulations, Initial Statement of Reasons, forms, the rulemaking file, the Final Statement of Reasons (when available) and other information, if any, may be obtained upon request from the:

Department of Fish and Game
Office of Spill Prevention and Response
P.O. Box 944209
Sacramento, California 94244-2090

In addition, the Notice, the exact language of the proposed regulations, and the Initial Statement of Reasons may be found on the World Wide Web at the following address:

**[www.dfg.ca.gov/ospr/organizational/legal/
regulations/regulations.htm](http://www.dfg.ca.gov/ospr/organizational/legal/regulations/regulations.htm)**

Questions regarding the proposed regulations, requests for documents, or any questions concerning the substance this regulatory action may be directed to Joy Lavin-Jones (916) 327-0910, or Al Storm (916) 324-6259).

GENERAL PUBLIC INTEREST

DEPARTMENT OF MANAGED HEALTH CARE

EXTENSION OF COMMENT PERIOD

The Department of Managed Health Care is extending the comment period of its regulation concerning Block Transfer Filings, Control #2003-0298. The notice was originally published on July 30, 2004, CRNR 2004, Register 31-Z, p. 1053. Details of the extension, as well as the proposed regulation, are in the notice below:

ACTION

Amended Notice of Proposed Rulemaking Title 28, California Code of Regulations.

SUBJECT

Block Transfer Filings, Control #2003-0298, Adopting Section 1300.67.1.3 in Title 28, California Code of Regulations.

PUBLIC PROCEEDINGS

Notice is hereby given that the Director of the Department of Managed Health Care (Director) proposes to adopt regulations under the Health Care Service Plan Act of 1975 (Act) relating to block transfer filings by adopting section 1300.67.1.3 in Title 28, California Code of Regulations. Before undertaking the action, the Director will conduct written public proceedings, during which time any interested person or such person's duly authorized representative may present statements, arguments or contentions relevant to the action described in this notice.

PUBLIC HEARING

Pursuant to Government Code section 11346.8(a), the Department of Managed Health Care (Department) has scheduled a public regulatory hearing on file #2003-0298, Block Transfer Filings.

The public hearing is scheduled to take place on Tuesday, November 30, 2004 at the following location: 980 9th Street, Suite 200 Conference Room A, Sacramento CA 95814.

The public hearing will begin promptly at 10:00 am. Public comments shall be limited to the subject of the text of the regulation and should be no more than five (5) minutes in length. The hearing may be brief depending on the number of speakers. The Department reserves the right to respond to comments and questions at a later time in writing.

Should you have questions or comments regarding the public hearing, you may contact Elaine Paniewski, Staff Service Analyst, Office of Legal Services, (916) 322-6727.

Individuals who require accommodations pursuant to the Americans with Disabilities Act are requested to contact Elaine Paniewski at least three days prior to the scheduled meeting date. TDD users may contact the Department at (877) 688-9891.

WRITTEN COMMENT PERIOD: Any interested person, or his or her authorized representative may submit written statements, arguments or contentions (hereafter referred to as comments) relevant to the proposed regulatory action by the Department. Comments must be received by the Office of Legal Services, Department of Managed Health Care, by 5 p.m. on **December 1, 2004**, which is hereby designated as the close of the written comment period.

Based upon comments received, the Department has re-opened the public comment period until December 1, 2004. The previous close of the public comment period was September 13, 2004.

Comments may be transmitted by regular mail, FAX or email:

Email: regulations@dmhc.ca.gov

Mail Delivery: Regulation Coordinator
Department of Managed Health Care
Office of Legal Services
980 9th Street, Suite 500
Sacramento CA 95814

Fax: (916) 322-3968

Please note, if comments are sent via email or fax, there is no need to send the same comments by mail delivery. All comments, including email, fax transmissions or mail delivery should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes in the regulation text on which additional comments may be solicited. Please address all comments to the Department of Managed Health Care, Office of Legal Services.

1. Inquiries regarding the substance of the proposed regulation described in this notice may be directed to Braulio Montesino, Staff Counsel, at (916) 322-6727.
2. All other inquiries concerning the action described in this notice may be directed to Elaine Paniewski, Staff Service Analyst, at (916) 322-6727.

CONTACTS

Please identify the action by using the Department's regulation control number and title, **2003-0298 Block Transfer Filings** in any of the above inquiries.

AVAILABILITY OF DOCUMENTS

Materials regarding the proposed regulations (including this public notice, the proposed regulations, and the Initial Statement of Reasons) are available via the internet. The documents may be accessed at

<http://www.hmohelp.ca.gov/library/regulations/> under the heading Proposed Regulations. As required by the Administrative Procedure Act, the Department's Office of Legal Services maintains the rulemaking file. At the present time, the rulemaking file consists of the text of the regulations, the initial statement of reasons, and the notice. The rulemaking file is available for public inspection at the Department of Managed Health Care, Office of Legal Services, 980 9th Street, Suite 500, Sacramento, CA 95814. To view the file, please call to make an appointment: (916) 322-6727.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

California Health and Safety code sections 1344 and 1346 vest the Director with the power to administer and enforce the provisions of the Act.

California Health and Safety Code section 1344 mandates that the Director have the ability to adopt, amend, and rescind such rules, forms, and orders as are necessary to carry out the provisions of this chapter, including rules governing applications and reports, and defining any terms, whether or not used in this chapter, insofar as the definitions are not inconsistent with the provisions of the Act. Furthermore, the Director may waive any requirement of any rule or form in situations where in the Director's discretion such requirement is not necessary in the public interest or for the protection of the public, subscribers, enrollees, or persons or plans subject to this chapter. In addition, the Director may honor requests from interested parties for interpretive opinions.

California Health and Safety Code section 1346 vests in the Director the power to administer and enforce the Act, including but not limited to recommending and proposing the enactment of any legislation necessary to protect and promote the interests of plans, subscribers, enrollees, and the public.

AB 1286 added Chapter 2.2, section 1373.65 of the Health and Safety Code (section 1373.65) requiring plans to submit a block transfer filing to the Department at least 75 days prior to the termination of its contract with a provider group or a general acute care hospital. This section further requires 60-days notice of the contract's termination to enrollees assigned to the terminated provider. Section 1373.65 specifies the requirements for plan covered services, including surgery, by the terminated provider. The proposed regulation clarifies and makes specific the requirements of section 1373.65 to ensure continuity of care to enrollees.

AUTHORITY

Health and Safety Code sections 1342, 1344, and 1346.

REFERENCE

Health and Safety Code section 1373.65.

AVAILABILITY OF MODIFIED TEXT

The text of any modified regulation, unless the modification is only non-substantial or solely grammatical in nature, will be made available to the public at least 15 days prior to the date the Department adopts the regulations. A request for a copy of any modified regulation(s) should be addressed to Elaine Paniewski, Staff Service Analyst, at (916) 322-6727. The Director will accept written, faxed or e-mailed comments on

the modified regulation(s) for 15 days after the date on which they are made available. The Director may thereafter adopt, amend or repeal the foregoing proposal substantially as set forth above without further notice.

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Elaine Paniewski, Staff Service Analyst, at (916) 322-6727 or available on the internet at

<http://www.hmohelp.ca.gov/library/regulations/>
under the heading Proposed Regulations.

ALTERNATIVES CONSIDERED

Pursuant to Government Code section 11346.5(a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified or brought to its attention, would be more effective in carrying out the purpose for which the above action is proposed, or would be as effective and less burdensome to affected private persons than the proposed actions.

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the public comment period.

FISCAL IMPACT STATEMENT

- Mandate on local agencies and school districts: None
- Cost or Savings to any State Agency: None
- Direct or Indirect Costs or Savings in Federal Funding to the State: None
- Cost to Local Agencies and School Districts Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code: None
- Costs to private persons or businesses directly affected: The Department is not aware of cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect on Housing Costs: None
- Other non-discretionary cost or savings imposed upon local agencies: None

DETERMINATIONS

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs requiring reimbursement by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

The Department has determined that the regulations will have no impact on housing costs.

The Department has determined that the regulations do not affect small businesses. Health care service plans are not considered a small business under Government Code section 11342(h)(2).

The Department has determined that the regulations will not significantly affect the creation or elimination of jobs within the State of California.

The Department has determined that the regulations will not significantly affect the creation of new businesses, or the elimination of existing businesses within the State of California.

The Department has determined that the regulations will not significantly affect the expansion of businesses currently doing business within the State of California.

The Department has determined that the regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses currently doing business within the State of California.

FINDING REGARDING REPORTING REQUIREMENT

Government Code section 11346.3(c) provides as follows:

“No administrative regulation adopted on or after January 1, 1993, that requires a report shall apply to businesses, unless the state agency adopting the regulation makes a finding that it is necessary for the health, safety, or welfare of the people of the state that the regulation apply to businesses.”

All reporting requirements included in these regulations do apply to businesses because the Department has determined that the regulations are necessary to maintain the health, safety and welfare of the people of the State of California.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, TEXT, AND RULEMAKING FILE:

The Department has prepared and has available for public review the following documents:

1. Initial Statement of Reasons
2. Text of proposed regulations
3. All information upon which the proposal is based (rulemaking file)

This information is available by request at the Department of Managed Health Care, Office of Legal Services, 980 9th St., Sacramento, CA 95814, or on our website at

<http://www.hmohelp.ca.gov/library/regulations/>, under the heading, Proposed Regulations.

PROPOSITION 65

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

NOTICE OF INTENT TO LIST A CHEMICAL

The Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65), codified at Health and Safety Code section 25249.5 et seq., provides two primary mechanisms for administratively listing chemicals that are known to the State to cause cancer or reproductive toxicity (Health and Safety Code section 25249.8(b)). A chemical may be listed under Proposition 65 when a body considered to be authoritative by the state's qualified experts has formally identified the chemical as causing cancer or reproductive toxicity. The following entities are identified as authoritative bodies for purposes of Proposition 65, as it pertains to chemicals known to cause reproductive toxicity: the U.S. Environmental Protection Agency, the International Agency for Research on Cancer solely as to transplacental carcinogenicity, the U.S. Food and Drug Administration, the National Institute for Occupational Safety and Health, and the National Toxicology Program (NTP) solely as to final reports of the NTP's Center for Evaluation of Risks to Human Reproduction. The criteria for listing chemicals through the authoritative bodies mechanism are set forth in Title 22, California Code of Regulations, section 12306.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA), within the California Environmental Protection Agency intends to list the chemical, *1-bromopropane*, as known to the State to cause reproductive toxicity, pursuant to this administrative mechanism as provided in Health and Safety Code section 25249.8(b) and Title 22, Cal. Code of Regs., section 12306.

Relevant information related to the possible listing of *1-bromopropane* was requested in a notice published in the *California Regulatory Notice Register* on May 28, 2004 (Register 04, No. 22-Z). The opportunity to request a public forum was provided, but no

such request was received and no forum was held. No comments were received on *1-bromopropane*. OEHHA has determined that the chemical, *1-bromopropane*, meets the criteria for listing under Title 22, Cal. Code of Regs., section 12306, and therefore OEHHA is issuing this notice of intent to list it under Proposition 65. A document providing more detail on the basis for the listing of the chemical can be obtained from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the OEHHA Web site at: <http://www.oehha.ca.gov/>. Anyone wishing to provide comments as to whether the listing of this chemical meets the criteria for listing provided in Title 22, Cal. Code of Regs., section 12306 should send written comments in triplicate, along with any supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita
Office of Environmental Health
Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be delivered in person or by courier to the above address. It is requested, but not required, that written comments and supporting documentation be transmitted via email addressed to: coshita@oehha.ca.gov. In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered, sent by FAX, or transmitted electronically) by 5:00 p.m. on Monday, November 8, 2004.

The following chemical has been determined by OEHHA to meet the criteria set forth in Title 22, Cal. Code of Regs., section 12306 for listing as causing reproductive toxicity under the authoritative bodies mechanism:

Chemical	CAS No.	Reference
1-Bromopropane (1-BP)	106-94-5	NTP-CERHR (2003)

REFERENCE

National Toxicology Program—Center for the Evaluation of Risks to Human Reproduction (NTP-CERHR, 2003). *NTP-CERHR Monograph on the Potential Human Reproductive and Developmental Effects of 1-Bromopropane*. NIH Publication No. 04-4479.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

BOARD OF ACCOUNTANCY Continuing Education

The Board proposes to change a reference to the name of the examination entitled "Certified Financial Planner" to "CERTIFIED FINANCIAL PLANNER TM CERTIFICATION EXAMINATION." This examination is accepted by the California Board of Accountancy as continuing education credit for licensees. According to the Certified Financial Planner Board of Standards, Inc., the existing title is not complete and accurate. They are not only requesting the change in wording but also the style of how the name of the exam is presented—in small cap font and with the "TM" trademark superscript.

Title 16
California Code of Regulations
AMEND : 88
Filed 09/24/04
Effective 09/24/04
Agency Contact: Aronna Granick (916) 263-3788

BOARD OF EDUCATION General Education Development Test (GED)

This regulatory action raises the fee to apply for the General Education Development (GED) Test.

Title 5
California Code of Regulations
AMEND : 11530
Filed 09/22/04
Effective 09/22/04
Agency Contact: Debra Strain (916) 319-0641

BOARD OF PHARMACY Sterile Compounding Standards

This action is the resubmittal of previously disapproved OAL file number 04-0308-01S. This action implements S.B. 293 (Chap. 827, Stats. 2001) by establishing required standards for compounding injectable sterile drug products.

Title 16
 California Code of Regulations
 ADOPT : 1751.01, 1751.02 AMEND : 1751,
 1751.2, 1751.3, 1751.4, 1751.5, 1751.6, 1751.7,
 1751.9 REPEAL : 1751.8
 Filed 09/29/04
 Effective 10/29/04
 Agency Contact:
 Paul Riches (916) 445-5014 x4016

BOARD OF PHARMACY

Hospital Central Fill, Patient Notification, etc.

This action makes a variety of amendments to existing Board regulations including implementing changes to pharmacy technician licensing and training programs mandated by S.B. 361 (Chap. 539, Stats. 2003).

Title 16
 California Code of Regulations
 AMEND : 1710, 1711, 1717.1, 1717.4, 1720, 1721,
 1723.1, 1724, 1749, 1793, 1793.1, 1793.2, 1793.4,
 1793.5, 1793.6, 1793.7
 Filed 09/22/04
 Effective 10/22/04
 Agency Contact:
 Paul Riches (916) 445-5014 x4016

BOARD OF PSYCHOLOGY

Applications

This regulatory action requires that all documentation supporting an application for licensing testing be submitted with the application.

Title 16
 California Code of Regulations
 AMEND : 1381
 Filed 09/23/04
 Effective 10/23/04
 Agency Contact:
 Kathy Bradbury (916) 263-0712

BOARD OF PSYCHOLOGY

Continuing Education Training Requirements

This regulatory action would implement recent statutory changes to add spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics, and biological, social, and psychological aspects of aging and long-term care to the areas of instruction required in continuing education instruction. This regulatory action would also eliminate language referring to acquired immune deficiency syndrome (AIDS) and replace it with HIV disease and issues of human diversity.

Title 16
 California Code of Regulations
 AMEND : 1397.61

Filed 09/24/04
 Effective 10/24/04
 Agency Contact:
 Kathy Bradbury (916) 263-0712

CAL-PERS

Participation in Risk Pools

This is the resubmission of an action that adopts regulations that define terms and provide criteria for the assignment of participating agencies to risk pools, the determination of rates, and allocation of assets and liabilities for the purpose of equitably reducing the volatility of small risk pools.

Title 2
 California Code of Regulations
 ADOPT : 588, 588.1, 588.2, 588.3, 588.4, 588.5,
 588.6, 588.7, 588.8, 588.9, 588.10
 Filed 09/23/04
 Effective 09/23/04
 Agency Contact: Marilyn Clark (916) 326-3007

**DEPARTMENT OF ALCOHOLIC BEVERAGE
 CONTROL**

Penalty Guidelines

This filing is a readoption of an emergency regulatory action which incorporates penalty guidelines for use in disciplinary actions under the Alcoholic Beverage Control Act and Administrative Procedure Act.

Title 4
 California Code of Regulations
 ADOPT : 144
 Filed 09/23/04
 Effective 09/23/04
 Agency Contact: Theresa Laster (916) 419-2526

**DEPARTMENT OF FOOD AND AGRICULTURE
 Karnal Bunt Disease Interior Quarantine**

This action adds 16 square miles of land in southeastern Riverside County to the 91 square mile area of land currently quarantined for the purpose of preventing the spread of Karnal bunt disease in wheat.

Title 3
 California Code of Regulations
 AMEND : 3430(b)
 Filed 09/22/04
 Effective 09/22/04
 Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF HEALTH SERVICES
 Medi-Cal Enrollment Process and Criteria**

The emergency regulatory action deals with the Medi-Cal Process and Criteria. Pursuant to Welfare and Institutions Code section 14043.75 this regulatory action is a deemed emergency that is exempt from OAL review. (Department of Health Services File R-04-04E.)

Title 22

California Code of Regulations

ADOPT : 51000.10.1, 51000.15.1, 51000.20.9,
51000.31, 51000.51, 51000.52, 51000.53, 51000.60
AMEND : 51000.1, 51000.1.1, 51000.3, 51000.4,
51000.6, 51000.7, 51000.16, 51000.30, 51000.35,
51000.40, 51000.45, 51000.50, 51000.55, 51051,
51451

Filed 09/29/04

Effective 10/07/04

Agency Contact:

Jasmin Delacruz (916) 657-0501

DEPARTMENT OF HEALTH SERVICES

Acute Inpatient Intensive Rehabilitation/Manual of
Criteria

This regulatory action amends the Manual of
Criteria to conform to recent court cases.

Title 22

California Code of Regulations

AMEND : 51003

Filed 09/29/04

Effective 10/29/04

Agency Contact:

Barbara S. Gallaway (916) 657-3197

DEPARTMENT OF HEALTH SERVICES

Drug Medi-Cal Rates for Fiscal Year 2002–2003

This is the Certificate of Compliance for the
emergency filing (OAL file no. 04-0412-05E; DHS
file no. R-14-02E) that revised the reimbursement
rates for Fiscal Year 2002–2003 which the Department
of Alcohol and Drug Programs will use to reimburse
certified providers for providing substance abuse
treatment services to eligible Medi-Cal beneficiaries.

Title 22

California Code of Regulations

AMEND : 51516.1

Filed 09/29/04

Effective 09/29/04

Agency Contact:

Jasmin Delacruz (916) 657-0501

DEPARTMENT OF REAL ESTATE

Use of False or Fictitious Name

This regulatory action repeals a recent amendment
restricting the use of nicknames in advertising.

Title 10

California Code of Regulations

AMEND : 2731

Filed 09/22/04

Effective 10/22/04

Agency Contact: David B. Seals (916) 227-0789

FAIR POLITICAL PRACTICES COMMISSION

Campaigns and Electronic Recordkeeping

This action concerns the documentation and han-
dling of campaign contributions made through wire
transfer, credit card transaction, debit account transac-
tion, and other similar electronic payments. This
action is submitted for filing with the Secretary of
State and printing only.

Title 2

California Code of Regulations

AMEND : 18401, 18421.1

Filed 09/23/04

Effective 09/23/04

Agency Contact: Galena West (916) 322-5660

FISH AND GAME COMMISSION

Salmon Punch Card

This action would amend the name of the form/card
“Steelhead Trout Catch Report-Restoration Card” to
“Steelhead Fishing Report and Restoration Card.”
The change is to more accurately capture the purpose
of the card which is to have anglers record complete
fishing activity of not only the amount of fish caught
and kept but also caught and released.

Title 14

California Code of Regulations

AMEND : 1.74

Filed 09/22/04

Effective 09/22/04

Agency Contact: Tracy L. Reed (916) 653-4899

**OFFICE OF SPILL PREVENTION AND
RESPONSE**

Tug Escorts for Los Angeles/Long Beach Harbors

This rulemaking action specifies the number and
composition of, level of readiness, hours of rest, and
training requirements for crewmembers on tugs used
for tank vessel escort operations.

Title 14

California Code of Regulations

AMEND : 851.23

Filed 09/27/04

Effective 10/27/04

Agency Contact:

Joy D. Lavin-Jones (916) 327-0910

SECRETARY OF STATE

Standards for Proof of Residency When Proof is
Required By HAVA

In this regulatory action, the Secretary of State
readopts an emergency regulation setting forth stan-
dards for proof of voter residency or identity when
proof is required under the Help America Vote Act of
2002 (HAVA).

Title 2
California Code of Regulations
ADOPT : 20107
Filed 09/29/04
Effective 09/29/04
Agency Contact: Lisa B. Niegel (916) 653-3345

STATE WATER RESOURCES CONTROL BOARD
Water Quality Control Plan, Los Angeles Region

This basin plan amendment revises interim ammonia effluent limits in the Total Maximum Daily Load for nitrogen compounds and related effects in the Los Angeles River for two Water Reclamation Plants (WRPs). The amendment changes the thirty-day average and daily maximum interim limits for total ammonia as nitrogen for the D.C. Tillman WRP from 21.0 and 21.7 milligrams per liter (mg/L), respectively to 20.5 and 24.7 mg/L, and for the Los Angeles-Glendale WRP from 16.5 and 19.4 mg/L, respectively, to 18.8 and 24.2 mg/L.

Title 23
California Code of Regulations
ADOPT : 3939.11
Filed 09/27/04
Effective 09/27/04
Agency Contact: Joanna Jensen (916) 657-1036

STATE WATER RESOURCES CONTROL BOARD
Water Quality Control Plan, North Coast Region

This basin plan amendment modifies the Beneficial Uses Chapter of the North Coast Regional Water Quality Control Plan by (1) updating the Beneficial Use Table 2-1 to include the Calwater classification system and a more refined level of beneficial use designation; (2) recognizing five existing, but newly defined beneficial uses of waters in the region, Wetland Habitat (WET), Water Quality Enhancement (WQE), Flood Peak Attenuation/Flood Water Storage (FLD), Native American Culture (CUL), and Subsistence Fishing (FISH); (3) recognizing two existing water body categories in the region (groundwater and wetlands); and (4) modifying the existing beneficial use definition of Commercial and Sport Fishing (COMM) for clarity.

Title 23
California Code of Regulations
ADOPT : 3905
Filed 09/27/04
Effective 09/27/04
Agency Contact: Phil Zentner (916) 341-5561

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN MAY 19, 2004
TO SEPTEMBER 29, 2004**

All regulatory actions filed by OAL during this period are listed below by California Code of

Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

08/12/04 ADOPT: 1396 AMEND: 1314, 1321, 1323, 1324, 1334, 1354, 1390, 1392, REPEAL: 1332

Title 2

09/29/04 ADOPT: 20107
09/23/04 ADOPT: 588, 588.1, 588.2, 588.3, 588.4, 588.5, 588.6, 588.7, 588.8, 588.9, 588.10
09/23/04 AMEND: 18401, 18421.1
09/15/04 ADOPT: 599.511 AMEND: 599.500(t)
09/10/04 AMEND: 54300
09/09/04 AMEND: 18704.2
08/31/04 ADOPT: 599.517
08/20/04 ADOPT: 586, 586.1, 586.2
08/10/04 ADOPT: 1896, 1896.2, 1896.4, 1896.6, 1896.10, 1896.12, 1896.14, 1896.16, 1896.18, 1896.20, 1896.22 REPEAL: 1896, 1896.2, 1896.4, 1896.6, 1896.8, 1896.10, 1896.12, 1896.14, 1896.16, 1896.18, 1896.20
08/09/04 AMEND: 599.508
08/09/04 ADOPT: 1859.77.3 AMEND: 1859.2, 1859.77.2
08/04/04 AMEND: 599.515(e)
07/30/04 ADOPT: 18531.10
07/28/04 ADOPT: 1172.90, 1172.92
07/27/04 AMEND: 18404.1
07/26/04 ADOPT: 18530.9 AMEND: 18531.5
07/22/04 ADOPT: 1859.51.1, 1859.70.2 AMEND: 1859.2, 1859.51, 1859.70, 1859.103
07/02/04 AMEND: 1859.2, 1859.145, 1859.145.1
06/28/04 ADOPT: 599.516
06/21/04 ADOPT: 22600, 22600.1, 22600.2, 22600.3, 22600.4, 22600.5, 22600.6, 22600.7, 22600.8, 22600.9, 22601, 22601.1, 22601.2, 22601.3, 22601.4, 22601.5, 22601.6, 22601.7, 22601.8
06/15/04 AMEND: 18707.1
06/15/04 ADOPT: Div. 8, Ch. 99, Sec. 58800
06/03/04 AMEND: 2270, 2271
06/01/04 ADOPT: 1859.163.1, 1859.163.2, 1859.164.2, 1859.167.1 AMEND: 1859.2, 1859.145, 1859.145.1, 1859.160, 1859.161, 1859.162, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.167, 1859.168, 1859.171
06/01/04 ADOPT: 20107

05/25/04 ADOPT: 59152
 05/21/04 ADOPT: 1859.123.1 AMEND: 1859.2,
 1859.73.1, 1859.81 1859.83, 1859.90,
 1859.120, 1859.121, 1859.122,
 1859.122.1, 1859.122.2, 1859.123,
 1859.124, 1859.124.1, 1859.125,
 1859.125.1, 1859.126, 1859.127,
 1859.129, 1859.130

Title 3

09/22/04 AMEND: 3430(b)
 09/20/04 AMEND: 3700
 09/09/04 AMEND: 6502
 09/08/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3,
 6784 AMEND: 6000 REPEAL: 6450,
 6450.1, 6450.2, 6450.3, 6784
 09/08/04 AMEND: 3423(b)
 09/02/04 AMEND: 3700(b)(c)
 08/19/04 AMEND: 3700(c)
 08/10/04 ADOPT: 1472.8 AMEND: 1472.5
 08/05/04 AMEND: 3962(a)
 07/09/04 AMEND: 3423(b)
 07/06/04 AMEND: 3430(b)
 07/06/04 AMEND: 3700(c)
 07/02/04 AMEND: 3558(a)
 06/25/04 AMEND: 1380.19(p), 1442.7
 06/09/04 AMEND: 3700(c)
 05/27/04 AMEND: 3423(b)
 05/27/04 AMEND: 1180(a)
 05/27/04 AMEND: 3428(b)

Title 4

09/23/04 ADOPT: 144
 09/20/04 AMEND: 12101, 12122, 12250
 08/17/04 ADOPT: 12400, 12401, 12402, 12403,
 12404, 12405, 12406
 07/19/04 ADOPT: 10163, 10164 AMEND: 10152,
 10153, 10154, 10155, 10156, 10157,
 10158, 10159, 10160, 10161, 10162
 07/19/04 ADOPT: 10300, 10302, 10305, 10310,
 10315, 10317, 10320, 10322, 10325,
 10326, 10327, 10328, 10330, 10335,
 10337 AMEND: 10325(b), 10325(B)(1),
 10325(c) (2)(B) , 10325(c)(12),
 10325(d)(1)
 07/19/04 ADOPT: 4147, 4148
 07/06/04 ADOPT: 12200, 12200.1, 12200.3,
 12200.5, 12200.6, 12200.7, 12200.9,
 12200.11, 12200.13, 12200.14, 12200.15,
 12200.16, 12200.17, 12200.18, 12200.20,
 12200.21, 12200.25, 12201, 12202,
 12203, 12204, 12205, 12218, 12218.5,
 12218.7, 12218.11, 12218.13, 12220,
 06/01/04 ADOPT: 12370, 12371

Title 5

09/22/04 AMEND: 11530
 09/03/04 AMEND: 40000, 40050, 40650, 40900,
 41302, 41304, 41901.5, 42501, 43000
 09/02/04 ADOPT: 40402.1, 40405, 40405.1,
 40405.2, 40405.3, 40405.4, 40901,
 41301, 41906, 41910, and 42728.
 AMEND: 40500, 40501, 40503, 40505,
 40506, 41600, 41601, 42395, 42705,
 43600, 43601, 43602, 43603, 43604,
 43660, 43661, 43662, 43663, 43664,
 43665, 43666
 08/09/04 AMEND: 590, 591, 592, 593, 594, 595,
 596
 07/30/04 ADOPT: 58317
 07/19/04 ADOPT: 40530, 40531, 40532 AMEND:
 40651, 40803, 40803.1
 06/30/04 AMEND: 19814(e)
 06/23/04 ADOPT: 19810, 19811, 19812, 19813,
 19814, 19815, 19816, 19817, 19818,
 19819, 19820, 19821, 19822, 19823,
 19824, 19825, 19826, 19828, 19829,
 19830, 19831 REPEAL: 19827
 06/17/04 ADOPT: 19814.1, 19832, 19833, 19834,
 19835, 19836, 19837 AMEND: 19814
 06/08/04 ADOPT: 18074, 18074.1, 18074.2,
 18074.3, 18074.4, 18074.5, 18074.6,
 18075, 18075.1, 18075.2, 18076,
 18076.1, 18076.2, 18076.3, 18220.6
 AMEND: 18413, 18428 REPEAL: 18021
 06/01/04 REPEAL: 80032.2, 80058.2, 80466,
 80523.3
 05/25/04 AMEND: 1859.61, 1859.105, 1859.106,
 1859.141, 1859.142, 1859.145, 1859.147,
 1859.148, 1859.150.1, 1859.151,
 1859.152, 1859.153
 05/24/04 AMEND: 11973, 11974, 11975, 11977,
 11978, 11979
 05/19/04 ADOPT: 1204.5, 1211.5, 1218.6
 AMEND: 1200, 1203, 1204, 1205, 1206,
 1207, 1208, 1209, 1210, 1211, 1215,
 1217 REPEAL: 1212, 1218.5, 1219.5

Title 8

08/30/04 ADOPT: 32032, 32033, 32034, 32035,
 81000, 81005, 81010, 81020, 81030,
 81040, 81050, 81055, 81060, 81065,
 81070, 81075, 81080, 81090, 81100,
 81105, 81110, 81115, 81120, 81125,
 81130, 81135, 81140, 81145, 81150,
 81155, 81160, 81165, 81170, 81175,
 81180
 08/27/04 AMEND: 3657
 08/26/04 AMEND: 3427
 08/02/04 AMEND: 6283(a)
 07/29/04 ADOPT: 232.01, 232.02, 232.03, 232.04,
 232.05, 232.06, 232.07, 232.08, 232.09,

232.10, 232.11, 232.12, 232.20, 232.21,
232.22, 232.23, 232.24, 232.25, 232.26,
232.27, 232.28, 232.29, 232.30, 232.31,
232.32, 232.33, 232.34, 232.35, 232.36,
232.37, 232.40,
07/20/04 AMEND: 5147
07/13/04 AMEND: 1523
07/07/04 AMEND: 1632, 3212
07/07/04 AMEND: 3301
07/07/04 AMEND: 1716.2
07/07/04 ADOPT: 9881.1, 10117.1, 10118.1
AMEND: 9810, 9880, 9881, 9883 RE-
PEAL: 9882, 10117, 10118
07/06/04 AMEND: 15220, 15220.1, 15220.3,
15220.4
07/06/04 AMEND: 5194
07/02/04 ADOPT: 9788.01, 9788.19788.11,
9788.2, 9788.3, 9788.31, 9788.32,
9788.4, 9788.5, 9788.6, 9788.7, 9788.9,
9788.91
06/30/04 ADOPT: 10250
06/28/04 AMEND: 1953
06/15/04 ADOPT: 9789.10, 9789.11, 9789.20,
9789.21, 9789.22, 9789.23, 9789.24,
9789.30, 9789.31, 9789.32, 9789.33,
9789.34, 9789.35, 9789.36, 9789.37,
9789.38, 9789.40, 9789.50, 9789.60,
9789.70, 9789.80, 9789.90, 9789.100,
9789.110, 9789.111
06/08/04 ADOPT: 32017, 32018, 51096, 71010,
71026, 71037, 71030, 71035, 71040,
71050, 71055, 71060, 71070, 71080,
71090, 71095, 71100, 71110, 71115,
71120, 71130, 71140, 71200, 71210,
71225, 71230, 71235, 71300, 71310,
71320, 71330, 71340, 71680, 71685,
71700, 71
05/24/04 AMEND: 1600, 1601
05/20/04 AMEND: 5001(b), 5008(b)

Title 9

09/01/04 ADOPT: 9807, 9822, 9834, 9836
AMEND: 9800, 9802, 9878 REPEAL:
9830, 9834, 9836
06/28/04 AMEND: 9525

Title 10

09/22/04 AMEND: 2731
09/16/04 AMEND: 2318.6, 2353.1
09/15/04 AMEND: 2695.8(b)
09/01/04 AMEND: 2698.30, 2698.31, 2698.32,
2698.33, 2698.34, 2698.35, 2698.36,
2697.37, 2698.38, 2698.39, 2698.40,
2698.41, 2698.42
08/31/04 ADOPT: 2698.95
08/26/04 AMEND: 2498.5
08/26/04 AMEND: 2498.5
08/26/04 AMEND: 2498.3

08/25/04 ADOPT: 2498.4.9 REPEAL: 2400, 2401,
2403, 2404, 2405, 2406, 2407, 2408,
2420, 2421, 2421.1a, 2421.2, 2421.3,
2421.4, 2421.5, 2421.6, 2421.8, 2421.9,
2421.10, 2422, 2430, 2431, 2431.1,
2431.2, 2431.3, 2432, 2441, 2442, 2443,
2443.1, 2444, 2444.5, 2444.6
08/24/04 AMEND: 2498.6
08/04/04 ADOPT: 2695.1, 2695.2, 2695.4, 2695.7,
2695.8, 2695.85, 2695.9, 2695.10,
2695.12 REPEAL: 2695.1, 2695.2,
2695.4, 2695.7, 2695.8, 2695.85, 2695.9,
2695.10, 2695.12, 2695.14
07/29/04 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4,
2192.5, 2192.6, 2192.7, 2192.8, 2192.9,
2192.10, 2192.11, 2192.12
07/29/04 AMEND: 2498.6
07/12/04 ADOPT: 2361
07/07/04 ADOPT: 2194, 2194.1, 2194.2, 2194.3,
52194.4, 2194.5, 2194.6, 2194.7, 2194.8
07/01/04 ADOPT: 2699.6608 AMEND: 2699.100,
2699.200, 2699.201, 2699.205, 2699.209,
2699.400, 2699.401, 2699.6500,
2699.6600, 2699.6606, 2699.6607,
2699.6611, 2699.6613, 2699.6617,
2699.6619, 2699.6625, 2699.6631,
2699.6705, 2699.6717, 2699.6725,
2699.6801, 2699.
05/27/04 REPEAL: 2670.1, 2670.2, 2670.3,
2670.4, 2670.5, 2670.6, 2670.7, 2670.8,
2670.9, 2670.10, 2670.11, 2670.12,
2670.13, 2670.14, 2670.15, 2670.16,
2670.17, 2670.18, 2670.19, 2670.20,
2670.21, 2670.22, 2670.23, 2670.24

Title 11

08/26/04 AMEND: 1005, 1007, 1008, 1018
07/07/04 AMEND: 1005, 1007
06/23/04 AMEND: 51.16
06/21/04 ADOPT: 2037, 2038 AMEND: 2010,
2050

Title 13

09/09/04 ADOPT: 15.07
09/02/04 ADOPT: 155.05 AMEND: 155.00,
155.02, 155.04, 155.08, 155.10 REPEAL:
155.06
07/21/04 ADOPT: 159.00
07/20/04 ADOPT: 2020, 2021, 2021.1, 2021.2
07/19/04 AMEND: 1090
07/16/04 AMEND: 712
07/15/04 AMEND: 225.45, 225.51, 225.54
07/07/04 AMEND: 156.00

Title 13, 17

07/15/04 ADOPT: 2284, 2285, 93114 AMEND:
1961, 2281, 2282, 2701

Title 14

09/27/04 AMEND: 851.23
 09/22/04 AMEND: 1.74
 09/21/04 AMEND: 507.1
 09/09/04 AMEND: 27.60, 27.65, 27.82, 28.27
 09/07/04 ADOPT: 17913.5 AMEND: 17901, 17902, 17905, 17910, 17911, 17913, 17914, 17914.5
 09/07/04 ADOPT: 15333, Appendix L AMEND: 15023, 15062, 15064, 15065, 15075, 15082, 15085, 15087, 15088, 15088.5, 15094, 15097, 15126.4, 15205, 15206, 15252, 15313, 15325, 15330, 15333, 15378, Appendices C, D
 09/01/04 AMEND: 671
 08/23/04 AMEND: 7.50
 08/23/04 ADOPT: 18456.2.1, 18460.2.1 AMEND: 18449, 18450, 18451, 18456, 18459, 18459.2.1, 18459.3, 18461, 18462
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 08/10/04 AMEND: 18072
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 07/21/04 ADOPT: 18464 AMEND: 18453, 18453.2, 18456.4, 18457, 18459.1, 18460.1, 18460.1.1, 18460.2, 18461, 18465
 07/12/04 AMEND: 180.3
 07/07/04 AMEND: 251, 311, 353, 354, 360, 361, 362, 363, 364, 365, 604, 708
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 06/28/04 AMEND: 2430, 2525, 2535
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 09/08/04 AMEND: 1399.26
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 09/03/04 AMEND: 1793.3
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 08/23/04 AMEND: 901.(d), 902.(c), 903.(b), 905.(a), 913.(f), 914.(d), 919.(g), and 941.(a)(2).
 08/11/04 AMEND: 1381.5
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 09/20/04 ADOPT: 2405.1, 2405.2, 2405.3, 2750, 2751, 2752, 2753, 2754, 2754.1, 2754.2, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2767.1, 2768, 2769, 2770, 2771, 2772, 2773 AMEND: 2400, 2401, 2403, 2404, 2405, 2407, 2408, 2409
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 09/10/04 ADOPT: 100061.1 AMEND: 100059, 100059.1, 100060, 100062, 100063, 100064, 100065, 100066, 100069, 100070, 100074, 100075, 100077, 100078, 100079, 100080, 100081
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